**IN THE HIGH COURT OF UTTARANCHAL**
**AT NAINITAL**
Criminal Misc. Application No. 679 of 2006

Raju S/o Sri Gordhan & 31 others
All R/o Village Jassawala
P.S. Jwalapur
District Haridwar

... Applicants

Vs

State of Uttaranchal

... Respondent

Sri Lok Pal Singh, learned counsel for the petitioners
Learned A.G.A. for the State.

**Hon'ble B.C. Kandpal, J.**

This petition under Section 482 Cr.P.C. has been filed by the applicants who have been directed by the Sub-Divisional Magistrate, Haridwar vide order dated 01.08.2006 to execute the personal bond and the two sureties each to the tune of Rs. 20,000/- for a period of six months in order to keep peace and tranquility in the area. This order was passed by the Sub-Divisional Magistrate, Haridwar under Section 111 Cr.P.C. in Case No. 357 of 2006 State Vs Raju & others.

2. The petitioners thus challenged the impugned order dated 01.08.2006 passed by the Sub-Divisional Magistrate, Haridwar in Case No. 357 of 2006 State Vs Raju & others under Sections 107/116 Cr.P.C.

3. Heard Sri Lok Pal Singh, learned counsel for the petitioners, learned A.G.A. for the State and perused the record.

4. Having considered the arguments advanced by the learned counsel for the parties, I am of the view that there is no abuse of the process of court in this case. The averments

made in the petition relates to the factual aspect of the matter which cannot be assessed at this stage.

5. Therefore, the petition lacks merit and is liable to be dismissed.

6. Accordingly, the petition under Section 482 Cr.P.C. is dismissed in-limine.

7. However, I am of the view that the amount of the sureties as well as the personal bond, as has been directed by the Sub-Divisional Magistrate, Haridwar appears to be quite excessive. It would be rather difficult for 32 persons who are the petitioners before this Court to arrange 64 sureties in order to get the bonds executed.

8. I, however, keeping in view the special circumstance of the case, direct the Sub-Divisional Magistrate, Haridwar to direct the petitioners to execute the personal bond only to the tune of Rs. 50,000/- each, instead of filing the two sureties bonds as well as personal bond to the tune of Rs. 20,000/- each.

**(B.C. Kandpal, J.)**

21.08.2006
ASWAL